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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
)
THYES et al.)
)
Serial No. 09/889,383)
)
Filed:)
)

For: A PROCESS FOR REDUCING THE CONTENT OF ETHYL 3-DIMETHYLAMINO-2-PHENYLPROPIONATE IN SOLUTIONS OF ETHYL 2-DIMETHYLAMINO-1-PHENYL-3-CYCLOHEXENE-1-CARBOXYLATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on:

| | |
|-----------------------|----------------------|
| Date of Deposit | October 25, 2002 |
| Person Making Deposit | Karen Stamper |
| Signature | <i>Karen Stamper</i> |
| Date of Signature | October 25, 2002 |

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

RENEWED PETITION UNDER 37 CFR §1.181

Sir:

Responsive to the Commissioner's decision of October 17, 2002, and further in response to the holding of abandonment dated July 8, 2002, applicants supply the following remarks and renew their petition to withdraw the holding of abandonment.

REMARKS

The Commissioner denied applicants' original petition under 37 CFR §1.181 on the grounds that applicants had provided therein copies of the declaration, assignment and canceled check filed by applicants on November 8, 2001 and received in the USPTO on February 5, 2002. The USPTO has acknowledged receipt of the fees paid by check number 28979 (\$280.00), so applicants have not obtained a copy of the canceled check. Applicants include herewith true copies of the declaration and assignment (and recordation cover sheet), together with the another copy of the USPTO date-stamped itemized postcard receipt.

Applicants respectfully renew their request that the holding of abandonment dated July 8, 2002 be withdrawn. Further, applicants respectfully request that the application be assigned an application date in the USPTO, and that it be treated as a proper national stage application under 35 USC §371 and 37 CFR §1.494.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit any excess fees to such deposit account.

Respectfully submitted,
KEIL & WEINKAUF



David C. Liechty
Reg. No. 48,692

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DCL/kas



November 8, 2001

THYES et al.
S.N. 889,383

REceived: declaration, assignment, 1 month extension fee
check for \$280.00